

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the application of: John J. Harrington, *et al.*

Serial No.: 09/513,575

Filed: February 25, 2000

For: COMPOSITIONS AND METHODS FOR NON-TARGETED ACTIVATION OF ENDOGENOUS GENES

Attorney Docket No.: ATX-007CP4DV13  
(formerly 5817-7M)

Group Art Unit: 1632

Examiner: Ram R. Shukla

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 222313-1450

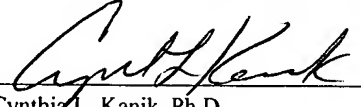
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**Certificate of Facsimile Transmittal**

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark office, Facsimile No. on the date shown below ~~703-308-4242~~ on the date set forth below.

703-872-9307  
August 5, 2003  
Date of Signature and of Mail Deposit

By:

  
Cynthia L. Kanik, Ph.D.  
Reg. No. 37,320  
Attorney for Applicants

**REVOCATION OF PRIOR POWERS OF ATTORNEY  
AND APPOINTMENT OF NEW POWER OF ATTORNEY**

Dear Sir:

Athersys, Inc., the Assignee of the entire right, title and interest in the above-identified application by virtue of the Assignment document recorded in the U.S. Patent and Trademark Office for U.S. Serial No. 09/276,820 on 2 July 1999 (reel 010064, frame 0420) hereby revokes all Powers of Attorney with respect to that application heretofore granted and appoints the below listed attorneys with full power of substitution and revocation to prosecute this application and to transact all business in the Patent Office connected therewith.

James E. Cockfield	Reg. No. 19,162	Maria C. Laccotripe Zacharakis	Limited Recognition
Thomas V. Smurzynski	Reg. No. 24,798		Under 37 C.F.R. § 10.9(b)
Ralph A. Loren	Reg. No. 29,325	Debra J. Milasincic	Reg. No. 46,931
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David J. Rikkers	Reg. No. 43,882	Jonathan M. Sparks	Reg. No. 53,624

of LAHIVE & COCKFIELD, LLP, 28 State Street, Boston, Massachusetts 02109, United States of America, and

and to:

Anne Brown

Reg. No. 36,463

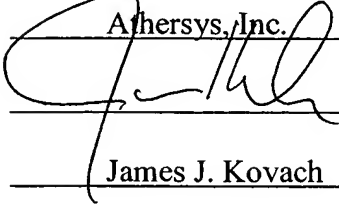
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of: **Athersys, Inc.**, 3201 Carnegie Avenue, Cleveland, OH 44115,  
United States of America

Please send all correspondence relating to the above patent application to:

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For: Athersys, Inc.

By: 

Typed Name: James J. Kovach

Title: Executive Vice President and COO

Dated: 8/4/03

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Attorney's Docket No. 5817-7

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Harrington et al.  
Application No.: 09/276,820

Group Art Unit: 1632  
Examiner Name: Shukla, R.

Filed: March 26, 1999  
For: COMPOSITIONS AND METHODS FOR  
NON-TARGETED ACTIVATION OF  
ENDOGENOUS GENES

Assistant Commissioner for Patents  
Washington, DC 20231

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REVOCATION OF POWER OF ATTORNEY  
AND NEW POWER OF ATTORNEY BY ASSIGNEE

Sir:

Assignee hereby revokes all powers of attorney previously granted with respect to the above-identified patent application, and appoints the practitioners associated with the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and directs that all correspondence be addressed to that Customer Number:

Customer Number 000826

with full power of substitution and revocation to transact all business in the Patent and Trademark Office in connection therewith.

Please direct all communications to the attention of:

Anne Brown  
Registration No. 36,463  
Tel Raleigh Office (919) 420-2200  
Fax Raleigh Office (919) 420-2260

Assignee hereby elects under 37 C.F.R. § 3.71 to prosecute this patent application and certifies that it is the assignee of the entire right, title, and interest in the patent application identified above, and in any divisionals or continuations thereof, by virtue of:

An assignment from the inventors of the patent application identified above.  
The assignment was recorded in the Patent and Trademark Office at Reel 010064,  
Frame 0420.

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## Certificate Under 37 C.F.R. § 3.73(b)

Applicant/Patent Owner: John J. HARRINGTON, Bruce SHERF and Stephen RUNDLETTApplication No./Patent No.: 09/276,820Filed/Issue Date: March 26, 1999Entitled: Compositions and Methods for Non-targeted Activation of Endogenous GenesAthersys, Inc.

(Name of Assignee)

a Corporation

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest, or
2. ☐ an assignee of an undivided part interest

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in the patent application/patent identified above by virtue of either:

- A. ☒ An Assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
- OR
- B. ☐ A chain of title from the inventor(s) of the patent application/patent identified above to the current assignee as shown below:

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The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

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☐ Additional documents in the chain of title are listed on a supplemental sheet.☒ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the PTO. See MPEP 302-302.8]

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

Date: 7/1/99Name: JAMES J. KORACKTitle: CHIEF OPERATING OFFICERSignature: [Signature]